BANGALORE DISTRICT. 542

Notification No. C1-4413--29-30, dated 21st April 1930.

The right to collect tolls at the toll-gates as noted in Schedules A and B during the official year 1930-31 will be sold by public auction at the places and on the dates specified against each gate

2. Persons intending to bid at the sale must attend in person or by a duly accredited agent. Every such person should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all bidders except the first 2 or 3 whose bids are to be recommended for acceptance will be returned at the close of the sale. The deposit of the successful bidder who will be called the contractor will be returned only on fulfilment of the contract. The deposits of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A who reserves the final power of refusing or accepting without assigning any reason whatever, the highest or any bid that may be offered.

4. The successful tenderer shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures, liabilities referred to therein and when he does not hold property in Mysore shall furnish at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract and if he is a non-resident foreigner he shall be deemed to have agreed to submit himself to the jurisdiction of the Civil Courts in Mysore and to be bound by any decree *ex parte* or otherwise that may be passed against him by such courts for any sums due in respect of the contract amount.

5. The contract shall not be transferred by sale, gift or otherwise or sub-leased without the previous sanction of the Deputy Commissioner.

6. The contract amount shall be paid in 12 equal monthly instalments in advance on the 1st day of every month in to the Taluk Office. The contractor shall also pay along with the instalments the authorised Local, Railway and Educational Cesses, if any, at the prescribed rates.

7. Fees recovered from persons compounding the payment of toll in accordance with the standing rules and orders approved by Government shall be kept at the credit of the contractor and adjusted in account towards the last instalment or instalments, as the case may be.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till date of payment.

9. The amount due by the contractor or his sureties shall be recoverable as if they were arrears of land revenue under the provisions of the Land Revenue Regulation and the rules thereunder.

10. The contractor shall collect tolls only at the rates and at the gates on the traffic specified in Schedules A and B.

11. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

12. The contractor shall keep at the toll-gate true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Deputy Commissioner, the Assistant Commissioner and the Amildar. He shall, if required, by the Deputy Commissioner, furnish to the Taluk Office at the end of every month, a true return for the month, showing the traffic passing through the gate in a prescribed form.

13. The contractor will have the use of the existing toll house and gate without payment of any rent, and he should keep them in good repair, failing which the cost of the repair will be recovered from the contractor.

14. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of any seasonal conditions or any other cause whatever.

15. The contractor and his employees shall always behave courteously towards the travelling public and shall not harrass them or give them any trouble of any kind and he shall maintain at the toll-gate a book, wherein travellers may record complaints, and forward true extracts thereof once a week to the Amildar.

16. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No 274, dated the 4th November 1876, as revised from time to time. He shall recognise all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the points mentioned in Schedule C.

17. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 for each infringement. If the fine be not paid or in the event of instalments or other sums due not paid within the prescribed date, it shall be competent to the Deputy Commissioner

to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing but shall not be entitled to any profits arising from the resale.

18. The imposition of fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

SCHEDULE A.

Name of toll-gate or bridge	Situation of the gate	Whether toll is to be levied on the up, down or incoming traffic or all traffic passing the gate	Traffic specially exempted from payment of toll and conditions, if any, of such exemption	Amount of deposit required	Place of sale	Date of sale	Officer conducting the sale	Officer confirming the sale
1	2	3	4	5	6	7	8	9
				Rs.				
Hindiganal (Hoskote Taluk).	Between 6—30 and 30th mile.	On all traffic	Vide rules under Schedule C.	250	Hoskote Taluk Office,	19th May 1930	The Deputy Commissioner or an Assistant Commissioner deputed by him.	The Revenue Commissioner in Mysore, Bangalore
Dobspet (Nelamangala Taluk).	Between 6—31 and 31st mile.			335	Nelamangala Taluk Office.	21st do ..		
*Byrapatna (Channapatna Taluk).	..			1, 50	Channapatna Taluk Office.	20th do ..		
Attibele (Anekal Taluk).	Between 1—1st and 3—21st mile.			1,384	Anekal Taluk Office.	17th do ..		

* NOTE.—To be shifted towards District boundary beyond Byrapatna the exact place will be announced during sales.

SCHEDULE B.

SCHEDULE OF THE MAXIMUM RATES OF TOLLS.

Details of traffic.	Rs.	a.	p.
1. (*a*) On every four-wheeled motor vehicle constructed to carry less than 10 persons ...	... 1	0	0
(Composite fee in respect of the above) per annum	...200	0	0
(*b*) On every other four-wheeled motor vehicle	... 2	0	0
(Composite fee in respect of the above) per annum	...400	0	0
2. On motor cycles with or without side car	.. 0	4	0
3. On every four-wheeled carriage ...	.. 0	8	0
4. Do two-wheeled carriage on springs, other than a jatka or ekka ...	... 0	4	0
5. On every ekka or jataka laden ..	0	2	0
6. On every ekka or jatka unladen ...	0	1	0
7. On every other vehicle on springs including tricycle and bicycle ...	... 0	2	0
8. On every cart or other vehicle drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if laden ...	1	0	0
9. Do do do if not laden ..	0	8	0
10. On every cart or other vehicle drawn by six bullocks, buffaloes, horses, ponies, asses or mules, if laden ...	0	8	0
11. Do do do if not laden..	0	4	0

12.	On every cart or other vehicle drawn by four bullocks, horses, buffaloes, ponies, asses or mules, if laden	..	0	6	0
13.	Do do do if not laden	..	0	3	0
14.	On every cart or other vehicle drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if laden	..	0	4	0
15.	Do do do if not laden	..	0	2	0
16.	On every cart or other vehicle drawn by a single bullock, buffalo, horse, pony ass or mule, if laden	...	0	2	0
	Do do do if not laden	...	0	1	0

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SCHEDULE C.

(*a*) 1. A table of authorised tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near the toll-gate, together with a copy of these rules.

2. The contractor should arrange at his own cost for the provision of "danger lights" 100 yards off on either side of toll-gates.

(*b*) 1. No more than one payment of toll shall be demanded at any one toll-bar, gate or station in respect of any carriage or cart in any one period of 24 hours.

2. No toll should be levied at a frontier toll-gate in Mysore on any cart, etc., passing the gate if within a period of 24 hours a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British authorities. In accordance with Government Notification No. R. 4713—R. M. 31-29-4, dated 3rd January 1930 for instance payment of toll at Attibele toll-gate exempts from payment at Hosur toll-gate in the Salem District and *Vice Versa*.

(*c*) Carts laden with Manure or other substance used as manure, shall be exempt from payment of toll at all the interior toll-gates and shall pay at the rate prescribed for unladen carts at all frontier toll-gates; provided that no toll shall be levied on carts belonging to agriculturists residing within five miles of the toll-gates when such carts are carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note.—Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the Village to which the cart belongs.

(*d*) No toll shall be levied on foot passengers.

(*e*) No toll shall be levied for the passage of troops, or military stores or equipages of Police Officers in uniform on duty or of any person or property in their custody or of any property ***bona fide*** belonging to Government, the proof of which should be established by the production of a pass or certificate from any officer of the Department to which the property belongs, such officer being duly authorised by the Deputy Commissioner or by Government to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the cart, or carriage conveying such property before it reaches the destination noted in such pass or certificate.

(*f*) No toll shall be levied for the passage of carriages or carts, etc., at any toll-gate if they belonging to a Local Board or Municipal Council, the proof of which is to be established by the production of a certificate signed by the President of such body or by such officer as may be authorised by the Government.

(*g*) No toll shall be levied for the passage of carriages or carts, etc., if

1. they belong to His Highness the Maharaja or His Highness the Yuvaraja;
2. they belong to the Hon'ble the British Resident in Mysore and his staff, namely, the Secretary to the Resident, the Residency Surgeon, and the Personal Assistant to the Resident;
3. they belong to the Dewan of Mysore;
4. they are engaged by the Postal Departments exclusively to carry mails;
5. they belong to a person who has compounded with the proper authorities in accordance with the rules framed by Government;
6. they convey British Military Officers on duty; and

Note.—(*a*) To entitle an officer to pass a toll-gate without payment as being "on duty" he must fulfil one of the following conditions:—

(i) be travelling in a staff car;

(ii) be wearing uniform;

(iii) be in possession of a toll pass issued by Headquarters, Madras District; or the Chief Commandant, Mysore State Troops as the case may be. Toll passes to be issued by the Chief Commandant should include the nature of the duty and the period of validity. (G. O. No. G. 10196-215—Mil. 211-29-2, dated 15th March 1930).

(*b*) Officers passing toll-gates on duty otherwise than in uniform will enter in a book, kept by the toll-gate keeper for that purpose, their rank, name and nature of duty on which they are travelling ;

7. they belong to the Heads of Mutts who hold a rahadari issued by a competent authority ;

8. they belong to officers below the grade of Executive Engineers and subordinates of the Public Works Department who travel on duty within their jurisdiction, provided they are in possession of an exemption certificate granted by the Deputy Commissioner (G. O. No. R. 4715-21—R. M. 26-29-13, dated 3rd January 1930).

(*h*) No toll shall be levied on the Ford Car used by the Public Health Department, the proof of which should be established by the production of a certificate signed by the Director of Health or in his absence by the Deputy Director or in their absence by the Consultant in Health or by any officer authorised to sign temporarily by a written order of the Director of Health.

(*i*) No toll shall be levied on any conveyance used for ambulance purposes.

(*j*) No toll shall be levied on all bullock carts except those that carry timber for commercial purposes at all Interior Provincial toll-gates. The word "timber" referred to above should be construed as including only logs or sawn timber, but not bamboos, fuel and cane (G. O. No. R. 4738—R. M. 2-29-6, dated 4th January 1930).

(*k*) No toll shall be levied on the vehicles of the agricultural Department if they produce a certificate issued by the Director of Agriculture that the vehicles belong to the Agricultural Department and are conveying Government articles.

A. K. SYED TAJ PEERAN,
Deputy Commissioner.

CHINTAMANI TOWN MUNICIPALITY.

Sale Notification dated 26th April 1930.

The right to collect tolls in the Town of Chintamani at all toll-gates specified in Schedule 'A' from 1st July 1930 to 30th June 1931, will be sold by public auction in the Municipal Office by the President or any other officer deputed for the purpose at 12 noon on 29th day of May 1930.

1. Persons intending to bid at the sale must attend in person or by a accredited agent. Intending bidders should deposit before hand Rs. 50 as earnest money. The deposits of all unsuccessful bidders will be returned at the close of the sale.

2. The President reserves to himself the power of refusing accepting the highest or any bid that may be offered without assigning any reason whatsoever. The successful bidder shall forthwith deposit with the sale conducting officer an amount equal to three monthly instalments as security, for the due performance of the contract. The sale is subject to the conformation of the Municipal Council.

3. The successful bidder in whose favour the sale is confirmed shall be entitled to collect the tolls at the rates mentioned in Schedule 'B' on incoming traffic only at the toll-gates and at no higher rates and shall be bound to issue printed receipts in the form prescribed by the Municipal President or Council, duly dated to the parties paying tolls.

4. If higher rate than those specified in the schedule are demanded or collected by the contractor or his duly authorised agent or if toll is recovered in respect of vehicles or animals on which toll is not leviable the contractor shall be liable to a fine not exceeding Rs. 10 for each unauthorised demand or collection as may be fixed by the President or Vice-President. In default of payment of fine, the deposit amount furnished by the contractor will be forfeited. In case of doubt or dispute the order of the President shall be final.

5. In case of non-payment of toll the contractor will detain the toll leviable item at the bar-gate for one hour and shall produce the same before the Municipal President or the Vice-President with its antecedents for needful action and the President will take action under section 2 of the Bye-laws in force.

6. The contract amount is payable in nine monthly instalments due on or before the 10th of the month following that for which it is due, failing which, interest at the rate of one pie per rupee per month will be charged from the date of default. The amount of deposit will if conditions of the contract are duly fulfilled to the satisfaction of the President or the Vice-President, be credited towards the instalments due for the last three months of the contract.

7. If the deposit is not made immediately after the close of the sale, the contract will be resold, the defaulting bidder being held responsible for losses due to resale but not entitled to profits arising from the resale. If default is made in the punctual payment of any instalment, the contractor shall forfeit the deposit and the President shall be at liberty to resell or otherwise dispose of the right to collect toll for the unexpired period of the year.